

**AGENDA
MAINE STATE HARNESS RACING COMMISSION
MEETING**

December 14, 2017
Gambling Control Board Conference Room
Department of Public Safety
45 Commerce Drive, Augusta, Maine
Starting Time 9:00 a.m.

- 1. Call the Meeting to Order and Introductions:** William Varney, Chair
- 2. Review and Approval of Minutes
Review and Approval of Decision and Orders**
- 3. Public Hearing on Agency Rule-making Proposals Covering Proposed Amendments to Commission Rule Chapters 1, 3, 7, 11, 13, 15, and 17**

A Notice of Agency Rule-making Proposal was published on November 22, 2017, in Maine's five daily newspapers. The notice announced that the Department is proposing amendments to Chapters 1, 3, 7, 11, 13, 15, and 17. The public hearing is scheduled for December 14, 2017 and the deadline for written comments is 5:00 p.m. on December 29, 2017. The Commission will take testimony on the proposed amendments.

- 4. Consideration of the Current Threshold for Testosterone in Mares**

The Department has been investigating three test results which were positive for testosterone in mares. The trainers and owners questioned the validity of the testing and requested further investigation. Dialog with the contract laboratory revealed there is research indicating that a small percentage of mares will have naturally occurring elevated levels of testosterone. Discussions are underway nationally about whether the threshold should be raised. The State Veterinarian will review the current science for the Commission and address the question of whether the Department should hold the three positive tests in abeyance and exercise enforcement discretion relative to these complaints.

- 5. Adjudicatory Hearings:**

- a. RE: Jocelyn Desfosses, Complaint Number 2017 MSHRC 10.** Mr. Desfosses is alleged to have violated MSHRC Rules Chapter 7 and 11. Mr. Desfosses is the trainer of record for the horse "Reckoning Day". A blood sample obtained from Reckoning Day following the Sixth Race at Scarborough Downs on June 24, 2017 disclosed the presence of Letrozole.
- b. RE: Jocelyn Desfosses, Complaint Number 2017 MSHRC 11.** Mr. Desfosses is alleged to have violated MSHRC Rules Chapter 7 and 11. Mr. Desfosses is the trainer of record for the horse "Surf New York". A blood sample obtained from Surf New York following the Fourth Race at Scarborough Downs on June 30, 2017 disclosed the presence of Letrozole.
- c. RE: Jocelyn Desfosses, Complaint Number 2017 MSHRC 12.** Mr. Desfosses is alleged to have violated MSHRC Rules Chapter 7 and 11. Mr. Desfosses is the

trainer of record for the horse “Surf New York”. A blood sample obtained from Surf New York following the Seventh Race at Bangor Raceway on July 4, 2017 disclosed the presence of Letrozole.

- d. **RE: Heidi Gibbs, Complaint Number 2017 MSHRC 29.** Ms. Gibbs is alleged to have violated MSHRC Rules Chapter 7 and 11. Ms. Gibbs is the trainer of record for the horse “Lets Get It All”. A blood sample obtained from Lets Get It All following the First Non-Betting Race at the Skowhegan Fair on August 14, 2017 disclosed an elevated level of Betamethasone.
- e. **RE: James Dunn, Complaint Number 2017 MSHRC 34.** Mr. Dunn is alleged to have violated MSHRC Rules Chapter 7 and 11. Mr. Dunn is the trainer of record for the horse “Well Lets See”. A blood sample obtained from Well Lets See following the Fourth Race at the Windsor Fair on August 27, 2017 disclosed an elevated level of Phenylbutazone.
- f. **RE: James Dunn, Complaint Number 2017 MSHRC 35.** Mr. Dunn is alleged to have violated MSHRC Rules Chapter 7 and 11. Mr. Dunn is the trainer of record for the horse “JJs Jet”. A blood sample obtained from JJs Jet following the Ninth Race at the Windsor Fair on August 27, 2017 disclosed an elevated level of Phenylbutazone.
- g. **RE: Jamie Gerard, Complaint Number 2017 MSHRC 38.** Mr. Gerard is alleged to have violated MSHRC Rules Chapter 7 and 11. Mr. Gerard is the trainer of record for the horse “Alternat Thursdays”. A blood sample obtained from Alternat Thursdays following the Fifth Race at the Oxford Fair on September 16, 2017 disclosed elevated levels of Phenylbutazone and Flunixin.
- h. **RE: Nicholas Graffam, Complaint Number 2017 MSHRC 39.** Mr. Graffam is appealing the October 4, 2017 judges’ decision regarding Mr. Graffam’s allegation of interference during the First Non-Betting Race at the Fryeburg Fair.
- i. **RE: Michael Cayouette, Complaint Number 2017 MSHRC 40.** Mr. Cayouette is alleged to have violated MSHRC Rules Chapter 7 and 11. Mr. Cayouette is the trainer of record for the horse “Sachertorte”. A blood sample obtained from Sachertorte following the Tenth Race at the Fryeburg Fair on October 3, 2017 disclosed an elevated level of Caffeine.
- j. **RE: Michael Cayouette, Complaint Number 2017 MSHRC 41.** Mr. Cayouette is alleged to have violated MSHRC Rules Chapter 7 and 11. Mr. Cayouette is the trainer of record for the horse “Wild Lady Luck”. A blood sample obtained from Wild Lady Luck following the Tenth Race at the Fryeburg Fair on October 4, 2017 disclosed an elevated level of Caffeine.
- k. **RE: Michael Cayouette, Complaint Number 2017 MSHRC 42.** Mr. Cayouette is alleged to have violated MSHRC Rules Chapter 7 and 11. Mr. Cayouette is the trainer of record for the horse “Sachertorte”. A blood sample obtained from Sachertorte following the Eighth Race at Bangor Raceway on October 11, 2017 disclosed an elevated level of Caffeine.
- l. **RE: Michael Cayouette, Complaint Number 2017 MSHRC 43.** Mr. Cayouette is alleged to have violated MSHRC Rules Chapter 7 and 11. Mr. Cayouette is the

trainer of record for the horse “Reagans Revenge”. A blood sample obtained from Reagans Revenge following the Second Race at Bangor Raceway on October 13, 2017 disclosed an elevated level of Caffeine.

m. RE: Michael Cayouette, Complaint Number 2017 MSHRC 46. Mr. Cayouette is alleged to have violated MSHRC Rules Chapter 7 and 11. Mr. Cayouette is the trainer of record for the horse “Buckeye Baddler”. A blood sample obtained from Buckeye Baddler following the Fourth Race at Bangor Raceway on October 20, 2017 disclosed an elevated level of Caffeine.

n. RE: Michael Cayouette, Complaint Number 2017 MSHRC 47. Mr. Cayouette is alleged to have violated MSHRC Rules Chapter 7 and 11. Mr. Cayouette is the trainer of record for the horse “Wild Lady Luck”. A blood sample obtained from Wild Lady Luck following the Fifth Race at Bangor Raceway on October 20, 2017 disclosed an elevated level of Caffeine.

6. Other business:

1. Consideration of ARCI Annual Membership renewal
2. Approval of the Maine Standardbred Breeders Sire Stakes Race Dates
3. Discussion of policies relating to licensing

7. Public Comment

8. Schedule of Future Meetings:

January 19, 2018

9. Adjourn